

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WENDY M. DUREN,

Plaintiff,

ORDER

v.

08-cv-468-bbc

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

On August 13, 2008, I granted plaintiff Wendy Duren's request to proceed *in forma pauperis*, construing her *pro se* complaint as an action seeking review of a final decision of the Commissioner of Social Security denying her application for social security disability benefits under 42 U.S.C. § 404(g). After the defendant filed an answer together with the transcript of the administrative proceedings, the court set a briefing schedule and mailed it to plaintiff on December 8, 2008. Plaintiff's brief in support of her claim that she is entitled to receive disability benefits was to be filed by January 5, 2009. It is now January 20 and plaintiff has not yet filed a brief.

Because plaintiff is proceeding *pro se* and may not have understood what she was to file, I will allow her an extension of time until February 6, 2009 to file her brief. In her brief, plaintiff should identify which findings made by the administrative law judge in his June 19, 2007 decision she is challenging. These findings are listed at pages 11 and 12 of the decision which is found in the administrative record at pages 45-46. Further, plaintiff should cite to

the evidence in the record and show how it supports her contentions that the administrative law judge erred in denying her disability benefits. If plaintiff fails to submit her brief in support of her claim by February 6, 2009, this action will be dismissed for her failure to prosecute it.

ORDER

IT IS ORDERED that plaintiff may have until February 6, 2009 to submit a brief in support of her claim that she is entitled to receive disability benefits. Plaintiff's failure to submit this brief will result in dismissal of this action for failure to prosecute.

Entered this 21st day of January, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge